

CITY OF CORVALLIS
COUNCIL POLICY MANUAL

POLICY AREA 1 - GENERAL

CP 91-1.02 **Liquor Licenses Approval Procedures**

Adopted February 4, 1980

Revised October 7, 1991

Affirmed 1993

Affirmed October 16, 1995

Revised December 1, 1997

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Revised December 1, 2003

Revised November 20, 2006

Affirmed October 20, 2008

Affirmed October 18, 2010

Revised April 2, 2012

1.02.010 **Purpose and Policy**

The City shall employ a consistent, uniform process for the receipt, review, and Council action upon all applications for liquor licenses. The process will provide to citizens due opportunity for comment/input regarding each liquor license application, prior to Council action.

1.02.020 **Procedures for New Licenses**

1.02.021 **Council Endorsement**

Applications for a new license must be read at a regular Council meeting. The City Council normally meets on the first and third Monday of each month (unless there is a Monday holiday and then it would be on the following Tuesday). The application must be filed with the Finance Department twelve working days prior to a scheduled Council meeting. Applications filed less than twelve working days of a scheduled Council meeting will be processed for the next Council meeting.

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1.02.022 Application

- a. Application for a new license must be made on the prescribed City application form, and must be accompanied by the applicant's endorsed Oregon Liquor Control Commission (OLCC) application and payment of the application processing fee. The application and payment must be submitted to the Finance Director, or her/his designee, at 500 SW Madison, Corvallis, Oregon 97333. The Finance Director, or her/his designee, will forward the application to the Chief of Police, the Fire Chief, and the Community Development Director. The Police Department will investigate the applicant's background and criminal record. The Fire Department will inspect the applicant's business site to ensure Fire Code compliance. The Community Development Director will ascertain the site's suitability as a liquor dispensing/sales site, with regard to land use regulations.
- b. A summary of the application shall be published on the City's website at least five days prior to the first reading of the liquor license application by the Council.
- c. Staff shall report to the Council, as part of the Consent Agenda, the results of the Police, Fire, and Planning investigations and the nature and extent of citizen input/comments received, unless the investigation results and/or citizen input/comments are unfavorable. In the event that unfavorable investigation results or citizen input/comments are received, staff shall present the report to Council as part of the New Business agenda, refer to section 1.02.022.d. Citizens may comment on a liquor license during Visitor's Propositions. If the Council so desires, a public hearing may be scheduled to hear further comments from citizens and/or interested parties. If this process will take more than forty days, the Finance Director or her/his designee will file for an extension of the application review deadline with the OLCC. The City has forty-five days in which to provide a recommendation to the OLCC, if no recommendation is given to the OLCC, the OLCC shall proceed as if the City has made a favorable recommendation.
- d. If, at any time prior to approval of the application, City staff investigations of the application result in an adverse recommendation by staff, staff making the adverse recommendation shall contact the applicant and endeavor to resolve the issue. If staff's contact does not address the issue, the matter of the application shall be scheduled for hearing at the

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next available Human Services Committee. The City Manager's designee shall notify the applicant of that event and request that the applicant attend the meeting. The Finance Director or her/his designee will file for an extension of the application review deadline with the OLCC. The Committee hearing shall include a report regarding the basis for the adverse recommendation; applicant shall have the opportunity to respond to the adverse recommendation and/or present rebuttal or other comments. After hearing all comments and receiving all information, the Committee shall, at the next regularly scheduled Council meeting, make its recommendation to the Council under "New Business" on the agenda. The Council shall read the application a second time and act upon it, either to approve, approve with conditions, or deny it. The applicant and the State (OLCC) shall be notified of Council's recommendation regarding the liquor license application.

1.02.023 Procedures for Existing Licenses; changes or renewals

The procedures specified in Section 1.02.020 of this Policy will pertain to City processing of changes to existing liquor licenses, except that no publication to the City's website is required.

The procedures specified in Section 1.02.020 of this Policy will also pertain to City processing of renewals of existing licenses except that the initiation of the license renewal process shall be done automatically by OLCC and City staff on an annual basis, only one reading of the application before the City Council is required. Applicants will be notified by the OLCC annually to pay for the renewal of their license. Any applicant not approved by the City Council and the OLCC will have their renewal fee returned.

1.02.030 Review and Update

- a. This General Policy shall be reviewed biennially in October by the Finance Director and Chief of Police and updated as appropriate.
- b. A copy of this policy is on file with the OLCC Portland office. All revisions need to be filed with the License Process OLCC, PO Box 22297, Portland, Oregon in strikeout/redline format.